

(7) *CH/52* (3)

BEFORE THE HON'BLE HIGH COURT OF CHHATTISGARH
AT BILASPUR (C.G.)

Single Bench

CIVIL REVISION NO. 194 /2006

APPLICANT

DEF NO. 3

Chhagan son of Shri Ishwar

Singh Madharia, aged about 34 years, resident of Near Radha Kishan Mandir, Bhilai - III, P.S. Bhilai - III, Sub Tahsil Bhilai - III, Distt. Durg (C.G.)

3866/06
P.R. No.
Presented by Shri. *Dr. P. S. Singh*
dated. *2.9.12/06*

VERSUS

NON-APPLICANTS

PLAINTIFFS

1. Smt. Indu Patel, widow of Late Ravi Patel, aged about 25 years,
2. Sanket aged about 2 years (Minor), son of Late Ravi Patel
3. Ku. Bhumika daughter of Late Ravi Patel, aged about 3 months (minor)
Sl.No. 2 to 3 are the minors, through their natural guardian mother Smt. Indu Patel, widow of Late Ravi Patel.
4. Shamkunwar, aged about 55 years, wife of Shri Lakhan Lal Patel,
All are resident of Shikshak Nagar, Nutan Chowk - Bhilai - 3, Sub Tahsil Bhilai, P.S. Bhilai - 3, Distt. Durg (C.G.)
5. Chhattisgarh State Electricity Board, through - Its Chairman, C.S.E.B. Danganiya, Raipur, Tah and Distt. Raipur (C.G.)

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RESPONDENTS
DEFENDANTS

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5. Executive Engineer, Chhattisgarh
State Electricity Board, Bhilai –
3, P.S. Purani Bhilai – 3, Distt.
Durg (C.G.)
 7. State of Chhattisgarh, through –
the District Collector, Distt. Durg
(Chhattisgarh)

CIVIL REVISION UNDER SECTION 115 OF THE CIVIL
PROCEDURE CODE, 1908

मामला क्रमांक सन् 2006
C.R.No. 194

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	03/01/2007 Shri N.S. Dhurandhar, counsel for the applicant. Heard on admission. By order dated 27.9.2006 passed by Shri A.K. Dhruv, 11th Additional District Judge (F.T.C.), Durg in Civil Suit No. 22-B/2006, the plaintiff was exempted from payment of Court fee under Section 35 of the Court Fee Act on the basis of the report of the Naib Tahsildar that the plaintiff did not possess any agricultural land or immoveable property. Shri N.S. Dhurandhar, learned counsel for the applicant fairly conceded that after receipt of the report of the Naib Tahsildar, the applicant herein did not raise any objection before the lower court and also did not pray for any opportunity for leading evidence. In that view of the matter, the impugned order exempting the plaintiff from payment of Court Fee on the basis of the report of the Naib Tahsildar cannot be faulted with. This revision being devoid of merit and is dismissed accordingly. Consequently, M.(C.).P. No. 2302/2006 for grant of stay also stands dismissed. C.C. as per rules	Sd/- Dilip Raosaheb Deshmukh Judge

Kvr

P.T.O.

26/1/07